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Mirror, Mirror: Using non-traditional reflective exercises

By Kim Diana Connolly

The best practitioners in various professions develop their skills through continual reflection about the uncertainties, complexities, and value conflicts they confront in practice situations. In his essay *Educating the Reflective Legal Practitioner* (2 Clinical L. Rev. 231, 247 (1995)), Donald A. Schön describes the processes of reflection-in-action and reflecting on actions as follows:

[R]eflection-in-action is the process by which a new response is generated in the situation, in response to surprise and under conditions of uncertainty, in a way that involves on-the-spot experimentation and that does not necessarily take place in words.

Reflection on that process, however, does have to take place in words or at least in formal symbols. This reflection on reflection-in-action is an attempt to describe the knowledge that was generated and the conditions under which it was generated and the on-the-spot experimentation that was carried out.

Many of my favorite professors and role models in the academy integrate reflection (both reflection-in-action and reflecting on processes) into their teaching.

As a group, law students are not particularly reflective, and the majority of their experiences in law school do not help them become reflective practitioners. In light of the importance of learning this skill, one principal goal of my teaching has become motivating law students to adopt a more reflective attitude and assisting them in developing corresponding practices. In addition to accomplishing the objectives set forth by Schön above, reflective practices incorporate the process of critical inquiry and evaluation. This dual process recognizes that while knowledge of reality is subject to our own perceptions and interpretations, it permits us also to consider the how and why of actual success or failure. By requiring students to observe and evaluate themselves (their thoughts, feelings, learning, and/or actions) in a number of situations throughout the semester, I cause students to engage in exercises that I hope improve their ability to be reflective in all aspects of their future professional lives. As I tell my students, I hope the required reflective exercises will improve problem-solving skills, foster self-awareness, nurture a lifetime of self-directed learning, and help “process” some of what they actually are doing in law school classes.

Yet, encouraging students truly to reflect seems to require nudging them to step far outside “the box” that has become their perception of what law students and lawyers do. To this end, I now incorporate non-traditional reflective exercises into my teaching. My original exercises focused on simple written and oral discourse on an event or concept. I found, however, that this approach limited many students’ abilities to truly reflect. My “non-traditional” exercises ask students to think and communicate without traditional prose or from an unusual premise.

In an upper-level, large-enrollment class, I start the semester with a brief exercise to set the tone for later

discussions about integrating reflection into legal practice. At the very beginning of the first class, I hand around blank, unlined paper and boxes of crayons. I ask students to depict, without words, what they hope to get out of the class. Then I leave the classroom for 10 minutes. During the debrief of this exercise, I ask students why they think I asked them to draw. They have many ideas (including, I’m sure, the unspoken one that I was just confirming my reputation for having a peculiar approach to teaching). We then discuss my goals, which are: (1) getting them comfortable reflecting; (2) getting them comfortable being creative; and (3) giving them a lesson about how some of their future clients may feel, by being directed to do something they likely were not expecting or comfortable doing.

This simple, short exercise is a springboard for rich discussions woven throughout future classes.

In smaller classes, it is easier for me to provide opportunities for teaching about reflection. Last spring, as I was about to design a series of non-traditional reflective exercises for my new environmental law clinic, I sent an email to the “humanizing legal education” listserv. This listserv is made up of professors and administrators committed to adding a humanizing dimension to the legal education process (you can get more information about this initiative at <http://www.law.fsu.edu/centers/hle/index.php> and can subscribe to the listserv by sending an empty e-mail to legaled-subscribe@mail.law.fsu.edu from which you should receive an immediate confirming reply). I received many helpful suggestions from listserv members that led me to design the four exercises described below.

The first exercise asked students to reflect on their initial client interview. I provided the following format instructions: “Your reflection should be in writing, using whatever format you feel is most appropriate (simple text, memorandum, poem, etc.) and whatever language style you

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feel helps you best reflect (formal, stream-of-consciousness, iambic pentameter, etc.).” I wanted students to go beyond a review of the mechanics in their reflections on the interview. Over half of the students elected to submit poems or “classic” stream-of-consciousness type pieces. I have permission from one student to share his haiku (and some accompanying explanatory text) in which he reflected on his failure to offer his client a drink:

**Talking rapidly
A drink of water for her
Would have been real nice**

I felt really bad for not offering [Ms. T] something to drink. I don't know why I didn't do this. I watch attorneys every day at work bring people into the office and immediately ask if they want something to drink. Sometimes it seems like they say it just to have something to say but that is not why I didn't ask. I think I was too wrapped up in what I had to get done and what I had to accomplish at the beginning of the interview and getting her something to drink did not cross my mind. It didn't even cross my mind later in the interview. But time was just flying by in the interview and I didn't realize [Ms. T] had talked for two hours until it was over. For the rest of my life I will always think about asking someone if they would like something to drink. But I won't ask just because there is nothing else to say (or will I?). . . .

The second reflective exercise was during the class session that met at a pub near our law school. It involved students (all third years) telling their colleagues what they would say if they could go back in time and give themselves advice as 1Ls. It was the only non-clinic-specific exercise, but it was very rich and led to some discussion about how they could use those thoughts in preparing for their imminent future as attorneys. My purpose for this exercise was to encourage students to apply creatively past experience in planning for the future.

The third exercise was not very successful, but I'm thinking of revamping it and trying it again with my next clinic. I asked students to write a memo in their client's voice, reflecting on a counseling session (or initial interview, for those who had not yet met with their client to counsel). I hoped this experience would get them outside their own heads in thinking about client interactions. Most of the responses, however, were very much like minutes of the meeting and didn't contain anything very deep. I suspect I didn't give them sufficient direction to imagine what their client really was thinking about or direction to explore the client's experience from multiple levels. I think a diary entry (rather than a memo) in the client's voice may encourage more reflection next time.

The fourth exercise was during the final clinic class. I taped together four sheets of flip-chart paper and asked students to gather around a table to reflect through drawing (using crayons) on their clinic experience. This exercise is somewhat similar to my large-class crayon exercise, although because it happens at the end of the semester and is a group project the students approach it both with some level of familiarity regarding what my purposes might be and with a sense of team spirit. My purpose was to give them experience reflecting as a group and seeing what they could take away by connecting with their colleagues as part of their reflection. After some initial reluctance, it became a raucous and fun exercise that truly elicited some deep conversation about the implications of what they were putting on paper.

These non-traditional reflective exercises supplemented a few more traditional writing exercises and discussions on reflective practice. In the end, however, the non-traditional exercises seemed to provide students the freedom they needed to get out of their typical law-school lock-step and really start reflecting on the process of becoming a lawyer.

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